

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

QAIS ABUHAMMED,

Petitioner

v.

ERIC HOLDER, *et al.*,

Respondents

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: CIVIL NO. 4:CV-09-0165  
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: (Judge Jones)  
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**MEMORANDUM**

July 21, 2009

Petitioner Qais Abuhammed ("Petitioner" or "Abuhammed"), a former detainee of the United States Immigration and Customs Enforcement ("ICE") Office, who was confined at the York County Correctional Facility in York, Pennsylvania, initiated this action by filing a Petition for Writ of Habeas Corpus pursuant to the provisions of 28 U.S.C. § 2241. Abuhammed's Petition challenged his continued detention by ICE pending his removal to the Palestinian territories and sought immediate removal from custody.<sup>1</sup> (*See* Doc. 1).

Service of the Petition was directed by Order dated March 10, 2009. (Doc. 8). Respondents filed a Response to the Petition on March 30, 2009. (Doc. 13). Along

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<sup>1</sup> Significantly, Abuhammed challenges only his detention pending removal, not his removal itself. *See Nguijol v. Mukasey*, 2008 WL 5047764, at \*1 & n.2 (M.D. Pa. Nov. 24, 2008).

with their Response, Respondents filed a copy of a December 28, 2008 correspondence from the Consulate General of Israel in New York indicating that Abuhammed had been approved for transfer to the Palestinian territories through the "Alenbi" passage. (*See* Doc. 13-2 at 40).

On July 15, 2009, the Court was informed by the York County Prison that Abuhammed was deported to the Palestinian territories on June 16, 2009. Because he has obtained the relief he sought in his Petition, namely, an immediate release from ICE custody, Abuhammed's Petition will be dismissed as moot. *See Nguiggol*, 2008 WL 5047764, at \*1 n.2. An appropriate Order will enter.